

# PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT (Article 12, Law Implementation Article 56) (PCT Article 36 and Rule 70)

Applicant's or agent's file reference  <b>TSL 1779 PCT</b>		<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No.  <b>PCT/JP03/01820</b>	International filing date (day/month/year)  <b>February 19, 2003</b>	Priority date (day/month/year)  <b>February 19, 2002</b>	
International Patent Classification (IPC)  Int' <b>309/20, 303/32, 303/42</b>		<b>C07C51/44, 51/50, 57/07, 57/42, 63/64,</b>	
Applicant (name) <b>Dow Corning Toray Silicone Co., Inc.</b>			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <b>3</b> sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of <b>6</b> sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <p>I. <input checked="" type="checkbox"/> Basis of the report</p> <p>II. <input type="checkbox"/> Priority</p> <p>III. <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV. <input type="checkbox"/> Lack of unity of invention</p> <p>V. <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI. <input type="checkbox"/> Certain documents cited</p> <p>VII. <input type="checkbox"/> Certain defects in the international application</p> <p>VIII. <input type="checkbox"/> Certain observations on the international application</p>			
Date of submission of the demand  <b>August 28, 2003</b>		Date of completion of this report  <b>May 11, 2004</b>	
Name and mailing address of the IPEA/JP <b>Japan Patent Office (IPEA/JP) Postal Index 100-8915 4-3, Kasumigaseki, 3-chome, Chiyoda-ku, Tokyo</b>		Authorized officer: <b>4H 9546 Naoko Matsumoto Tel. 03-3581-1101 Ext. 3443</b>	

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.: PCT/JP03/01820

## I. Basis of the report

1. This International Preliminary Examination Report is prepared with regard to the elements of the international application given below (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

- ☐ the international application as originally filed
- ☒ the description: pages 1, 5-7, as originally filed
- the description: pages \_\_\_\_\_, filed with the demand
- the description: pages 2-4, 4/1, filed with the letter of January 28, 2004
- ☒ The claims: Claims No. 5-7, as originally filed,
- The Claim: Claim No. \_\_\_\_\_, as amended (together with any statement) under Article 19
- The claims: Claims No. \_\_\_\_\_ filed with the demand
- The claims: Claims No. 1, 2 filed with the letter of January 28, 2004
- ☐ The drawings Sheet/ Fig. No. \_\_\_\_\_ as originally filed
- The drawings Sheet/ Fig. No. \_\_\_\_\_, filed with the demand
- The drawings Sheet/ Fig. No. \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ The sequence listing part of the description Page \_\_\_\_\_, as originally filed
- The sequence listing part of the description Page \_\_\_\_\_, filed with the demand
- The sequence listing part of the description Page \_\_\_\_\_, filed with the demand

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23. 1 (b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☒ the claims, Nos. 3, 4
- ☐ the drawings, sheets/fig \_\_\_\_\_

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/JP03/1820

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	<u>1, 2, 5-7</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>1, 2, 5-7</u>	- YES
	Claims		NO
Industrial applicability (IA)	Claims	<u>1, 2, 5-7</u>	- YES
	Claims		NO

## 2. Citations and explanations (Rule 70.7)

The International Preliminary Examination has revealed the references given below that may be related to the invention as claimed in Claims 1, 2, 5-7:

Reference 1 (JP 39-220 B1) (Nitto Physical and Chemical Industries Co., Ltd [Nitto Rikagaku Kogyo Co., Ltd.] January 16, 1964 (Claims; page 1, left column, lines 5-8; and Practical Examples)

Reference 2 (JP 39-19148B1 (Nippon Jun'yaku Co., Ltd. ) September 7, 1964 (Page 2, left column, lines 15-25)

Reference 3 (JP 61-180739A (Nippon Joryu Industries Co., Ltd. ) August 13, 1986 (Claims, Page 2, lower right column)

Reference 4. JP 7-138224 A (Tosoh Corporation) May 30, 1995 (Claims)

Reference 5. EP 240138 A1 (Mitsui Toatsu Chemicals, inc.), October 7, 1987 (Claims)

Regarding the use of an aqueous polymerization inhibitors such as the L-ascorbic acid as claimed in Claims 1, 2, 5-7, none of the cited references or publications discloses this feature, neither it is obvious to a person skilled in the art.